

Missouri
Special Education
Advisory Panel

Annual Report

Deana O'Brien, Chair
Fiscal Year 2005-2006

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Introduction

This annual report of the Missouri Special Education Advisory Panel (SEAP) is respectfully submitted to the Commissioner of the Department of Elementary and Secondary Education (DESE) for the State of Missouri. The reporting period is July 1, 2005, through June 30, 2006. The annual report is a summary of panel activities and recommendations during the reporting period. The panel operates in a collaborative spirit with DESE's Division of Special Education in identifying and addressing areas of concern. The panel convenes on a regular basis to review issues relevant to special education in Missouri. Subcommittees meet throughout the year to examine specific targeted areas. The panel is composed of stakeholders, including parents of children with disabilities; individuals with disabilities; teachers; representatives of institutions of higher education; administrators of programs for children with disabilities; representatives of state agencies; representatives of private schools and public charter schools; a representative of a vocational, community, or business organization concerned with the provision of transition services; and, a representative from the state juvenile and adult corrections agencies.

Advisory Panel Duties

The advisory panel is authorized under the Individuals with Disabilities Education Act (IDEA). The role of the panel is advisory and not advocacy. The panel provides policy guidance on special education and related services and carries out those specific and general functions set forth in IDEA. The panel shall:

- Advise the Department of Elementary and Secondary Education of unmet needs within the state in the education of children with disabilities;
- Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities;
- Advise DESE in developing evaluations and reporting on data to the U. S. Department of Education under Section 618 of the Act;
- Advise DESE in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act;
- Advise DESE in developing and implementing policies relating to the coordination of services for children with disabilities;
- Advise DESE in review of complaints and due process hearings; and,
- Advise on programs for eligible students with disabilities in juvenile and adult corrections agencies.

Missouri's Vision for Special Education Services

We, the people of Missouri, believe that diversity enhances our culture; therefore, we commit our resources and efforts to accept, educate, and support all children and youth. All children and youth, being of diverse backgrounds and abilities, will have access to all learning activities with accommodations and supports to enable them to succeed. All children and youth are actively engaged

in creating their own futures; are prepared for life as independent, informed, and empowered citizens; and; are embraced as vital, valued, and contributing members of their communities.

Therefore, we need inclusive communities and schools that:

- Recognize that all children and youth can learn;
- Commit to providing equitable opportunities for all children and youth;
- Build on the individual strengths and abilities of each child and youth;
- Collaborate for the benefit of all children and youth; and,
- Recognize and involve families as full partners.

The Special Education Advisory Panel is committed to this vision. We believe all children, including those in special education, are entitled to and deserving of fair and equitable treatment by the educational system. We believe all local school systems and all students should be held to the highest standards and that all students should receive an appropriate and quality education to prepare them for life beyond the school years.

The panel recognizes there have always been and will continue to be challenges in providing an appropriate education for each individual student. It is the firm belief and commitment of this panel that the needs of the individual student should be the prime concern of those involved in creating an individualized program. The panel feels a strong responsibility to represent the interests of all students in special education in achieving the best possible outcomes for them in the educational process. The best outcomes can be achieved when all stakeholders work together in a collaborative manner for the best interests of the individual student.

Panel Activities

The advisory panel engages in a number of activities to fulfill its role of advising the Division on special education issues. The following describes activities from 2005-06.

1. Steering Committee for the Missouri Continuous Improvement Monitoring Process

A major project undertaken by the advisory panel is that of acting as the steering committee for the Continuous Improvement Monitoring Process (CIMP). This project has consumed much of the panel's time during the past five years. The CIMP is a mandate of the federal Office of Special Education Programs (OSEP). The purpose is to monitor and improve the compliance of all states with the Individuals with Disabilities Education Act (IDEA). The process involves an initial self-assessment followed by improvement planning. As the improvement plan is implemented, ongoing evaluation is conducted to determine the effectiveness of the plan and to make adjustments to the plan as necessary.

- The North Central Regional Resource Center (NCRRC) has assisted the Panel with the monitoring of continuous improvement activities. Reviews of data have found the following:
 - Results related to graduation and dropout rates and state assessments show positive trends.

- Data on suspensions and expulsions show positive trends and the setting data for the 6 through 21 age group indicate inclusion rates greater than the nation as a whole.
- For indicators that emphasized compliance and for which data were available, results were generally positive except for the indicator dealing with one year correction of non-compliance. However, procedures have been revised to assure the timely correction of non-compliance.
- The role of the advisory panel continues to be shaping services for children with disabilities. The Panel will continue to monitor the Continuous Improvement and Focused Monitoring System (CIFMS), the Annual Performance Plan, and the State Performance Plan. Advisory panels continue to be key stakeholders in efforts to improve educational opportunities for children with disabilities with the increasing challenge of providing quality education for all children with disabilities in this country and the requirements of IDEA.

2. Missouri State Performance Plan (SPP)

The reauthorized Individuals with Disabilities Education Act (IDEA) of 2004 established a series of monitoring priority areas which states must address for students with disabilities. In turn, the Office of Special Education Programs (OSEP) subsequently established performance indicators for each of the priority areas.

One year from the date of the reauthorization of the IDEA 2004, all states were required to develop and submit to OSEP a State Performance Plan (SPP). The SPP was to indicate, for each of the priority performance indicators, the state's "measurable and rigorous" targets for performance from 2006 through 2011. The plan also had to specify improvement activities which were reasonably calculated to ensure the state would reach the targets by 2011. Missouri submitted its SPP on December 1, 2005. The complete SPP document is located on the Division's website at the following address:
<http://www.dese.mo.gov/divspeced/PDF/PartB-SPPMissouri.pdf>.

- Increasing student performance is the objective of the SPP. Student performance is everyone's job. It is important to ensure students with disabilities have access to the general education curriculum and environment so they may acquire the skills they need to transition successfully to post-secondary education or employment.
- Each year, the state is required to report to OSEP its progress toward meeting the targets on the SPP. The state is also required to report publicly the performance of every district in the state on each of the indicators.
- Monitoring of districts in the fourth cycle of MSIP (2006-2007 through 2010-2011) will be focused on district's performance on the indicators, rather than on procedural compliance.

	SPP Indicator	Data Source	2004-05 State Performance	2005-06 Target	2010-11 Target
1	Graduation rate for students with disabilities	DESE Core Data	71.7%	73.0%	78.5%
2	Dropout rate for students with disabilities	DESE Core Data	5.1%	4.7%	3.8%
3a	Percent of districts meeting AYP	DESE Assessment	CA 20.5% Math 50.9%	CA 21% Math 61%	CA 26% Math 66%
3b	Participation rate for children with IEPs on statewide assessments	DESE Assessment	CA 96.9% Math 97.6%	100%	100%
3c	Proficiency rate for children with IEPs on statewide assessments	DESE Assessment	CA 11.2% Math 11.0%	CA 39.8% Math 32.1%	CA 79.6% Math 77.1%
4a	Percent of districts identified as having significant discrepancies in suspension/expulsion rates	DESE Core Data	1.9%	1.7%	0.5%
4b	Percent of districts identified as having significant discrepancies in suspension/expulsion rates by race/ethnicity	DESE Core Data	NA	TBD	TBD
5a	Percent of children with IEPs removed from regular class < 21% of the day	DESE Core Data	58.05%	59.0%	64.0%
5b	Percent of children with IEPs removed from regular class > 60% of the day	DESE Core Data	11.16%	11.0%	10.5%
5c	Percent of children with IEPs served in segregated settings	DESE Core Data	3.52%	3.50%	3.20%
6	Percent of children ages 3-5 with IEPs in settings with typically developing peers	DESE Core Data	42.8%	43.0%	50.0%
7	Percent of preschool children with IEPs who demonstrate improved a. positive social-emotional skills b. acquisition and use of knowledge and skills c. use of appropriate behaviors to meet needs	New collection	NA	TBD	TBD
8	Percent of parents who report school facilitated parent involvement as a means of improving services and results for children with disabilities	MSIP Parent Survey	NA	TBD	TBD
9	Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification	DESE Core Data	NA	0.0%	0.0%
10	Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification	DESE Core Data	NA	0.0%	0.0%
11	Percent of children with parental consent to evaluate who were evaluated and eligibility determined within 60 days	New collection via MSIP cycle	NA	100%	100%
12	Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Collected via MSIP cycle	93.3%	100%	100%

	SPP Indicator	Data Source	2004-05 State Performance	2005-06 Target	2010-11 Target
13	Percent of youth age 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals	New collection via MSIP cycle	NA	100%	100%
14	Percent of youth who had IEPs, are not longer in secondary school, and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school	DESE Core Data and new collection for dropout follow-up	NA	TBD	TBD
15	Percent of findings of noncompliance corrected within 12 months	Compliance	81.6%	100%	100%
16	Percent of complaints resolved within 60 day or extended timelines.	Child complaint/ due process database	100%	100%	100%
17	Percent of due process hearings fully adjudicated within 45 day or appropriately extended timelines.	Child complaint/ due process database	100%	100%	100%
18	Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements	Child complaint/ due process database	NA	TBD	TBD
19	Percent of mediations that result in a mediation agreement	Child complaint/ due process database	61.5%	62.0%	64.5%
20	Percent of state reported data that are timely and accurate	Federal reports	100%	100.0%	100.0%

NA designates 2004-05 data that were not available or required in the SPP. Baseline data will be from the 2005-06 school year. TBD designates targets are to be determined using 2005-06 baseline data.

3. Formal Recommendations to DESE

Below are formal recommendations presented and discussed at Panel meetings.

- **Formal Recommendation #12 (Lowest Level Resolution, February 2006)**

The Advisory Panel recommended that all families should be afforded the benefit of lowest level resolution that enables families and schools to reach consensus without engaging in legal representation when seeking to resolve a dispute in the provision of an Individualized Education Program and related services, placement, or evaluation. In support of that belief, the Panel requested DESE retain the resolution conference in the State Plan even if it is removed from the statutes. Secondly, the Panel recognizes mediation is available prior to the request for due process.

DESE initially responded that they did not agree that the current resolution conference is the “lowest level resolution that enables families to reach consensus without engaging in

legal representation when seeking to resolve a dispute.” In fact, mediation is the lowest level resolution available and is free of charge. Under the new federal requirements and state law, mediation is available outside of the due process hearing system. A comparison of the resolution conference and the resolution session were specifically outlined. Further response from DESE included that the new federal provisions and state law provisions for a resolution session will accomplish what the resolution conference in Missouri law has accomplished in the past; therefore, eliminating the redundancy created when IDEA was amended to require a resolution session.

- Formal Recommendation #13 (Process for notifying the Panel of pending legislation, February 2006)

The Panel recommended DESE present to the Panel a process for notifying the SEAP of pending legislation, rule making, regulation, or policy changes and the like that impact special education in order to allow the Panel an opportunity to exercise its duty to publicly comment upon such in accordance with 20 USC 1412 (a)(21)(D).

DESE’s initial response was sent on March 13, 2006, in a letter from Melodie Friedebach to Deana O’Brien, SEAP Chairperson. The letter stated it was not the responsibility of DESE to notify SEAP of pending legislation. The letter further explains some of the legislative process in hopes that this letter will clarify issues raised by this recommendation. At the June 23, 2006, meeting, DESE advised it will begin reviewing the current State Plan with the Panel in order to determine areas where such may be affected by the changes in IDEA with the 2004 reauthorization. The Panel made it clear that this was the type of activity it desired in order to be proactive in the process of policy, rules, and regulation development rather than the reactive role it has found itself in over the past several years. The final resolution to recommendation #13 is still pending.

In addition, formal recommendation #9, while not proposed in this calendar year, received updates/actions within this year.

- Formal Recommendation #9 (Guidelines/Parameters for a Child Complaint Review, June 2004)

As a legitimate concern that federally set timelines cannot be violated, it is the belief of the Panel that a review process is necessary to allow an opportunity to reinforce good investigative practices and improve deficiencies if found. Therefore, the review will not have a bearing on the Child Complaint findings, but is meant as a tool to ensure thoroughness of the Child Complaint investigation process. In February 2005, Pam Williams reported that OSEP indicated the federal regulations are silent as to whether an independent review must be completed within the sixty day timeline or if it can exceed the timeline. In April 2005, the monitoring subcommittee asked the Division to draft the survey questions and send them prior to the June meeting. The Division sent the survey to the monitoring subcommittee on June 13, 2005. After a review by the subcommittee, DESE implemented the final survey and forwarded a copy to the monitoring subcommittee. In November 2005, DESE began sending out the Child Complaint Satisfaction Survey to those parties receiving child complaint findings during FY 2006.

In February 2006, the Panel reviewed the preliminary responses to the Child Complaint Satisfaction Survey and was concerned with the low number and the limited range of parent responses. It requested DESE explore methods of expanding the number and range of parent responses in order to provide a more reliable set of data. DESE explored several options in April 2006 including:

- Follow-up with a cover letter and another copy of the survey
- Offer the opportunity to respond through other formats such as web reply
- Follow-up by phone survey

DESE staff will summarize quantifiable responses on surveys received to date and based on the number of surveys for which there was no responses; determine whether DESE staff will make follow-up phone calls or whether they will contract with someone to conduct phone surveys. April 25, 2006, data provided to the Panel by DESE still indicated a low response from parents to the survey and the Panel again asked DESE to consider other methods to gain such feedback. The survey period ends at the end of the current fiscal year and a final report will be provided to the Panel shortly thereafter. Final resolution is pending.

4. Participation in OSEP Conference

There has not been an OSEP conference since March 2005.

5. Amendments to the Bylaws

Article VI

Section I – The executive committee shall consist of the Chairperson, Vice Chairperson, Secretary, previous Chairperson, and four (4) members at-large. A majority of the membership must be parents of students with a disability or individuals with a disability.

Section III – Meetings of the executive committee shall be called by the Chairperson upon request of two (2) members of the committee. A quorum of at least half of the members must be present to conduct business.

Section VI – The at-large members of the Executive Committee shall be elected at the annual election of officers (regular June meeting). In the case of a vacancy, the vacancy shall be declared during a regular meeting of the Panel and filled by a special election at the next regular meeting of the panel. Such interim member shall fill that position until the next annual election where upon they could be elected.

6. Synopsis of Panel Meeting Activities for FY 2006

For more detailed information on the meeting minutes, go to the following link:

<http://dese.mo.gov/divspeced/Administration/AdvisoryPanel/AdvisoryPanelMinutes.html>

Panel Meeting – June 23, 2006

- DESE Update
 - Commissioner King’s upcoming visit to panel

- Part B application has been submitted to OSEP
 - Federal regulations are anticipated by the end of August
- Part B Monitoring System Update – Margaret Strecker, Director of the Special Education Compliance Section, provided updated information on special education monitoring as well as MSIP which accredits school districts.
- Graduation Requirements and Differentiated Diplomas – Stan Johnson, Assistant Commissioner for the Division of School Improvement, shared information/recommendations from the High School Task Force.
- Public Comment Subcommittee – Reported that the first public forum will be held after the start of the new school year. The format of the forums was discussed.
- Evaluations Subcommittee – Reported that a draft of the annual report has been shared for review.
- Monitoring Subcommittee – Chair distributed information regarding the proposed format for the December Due Process and Child Complaint Data report.
- Programs Subcommittee – Indicated a need for more information to be shared with the Panel regarding MAP-A and ACT.
- Nominations Subcommittee – Submitted suggested names for panel members to DESE. DESE is in the process of contacting the potential nominees and asking them to complete and return the criminal background check.

Panel Meeting – April 20, 2006

- DESE Update
 - Child Count
 - SPP Part B Second Approval – DESE has received final approval from OSEP on the Part B State Performance Plan
 - Exit Criteria (new graduation requirements, ACT, differentiated diplomas) – DESE discussed new graduation requirements including a change from 22 to 24 units of credit starting with this year's 8th grade class and include a requirement for a half unit of a personal finance class and health education class
 - Discussion of Sunshine Law Policy – A draft Sunshine Law policy and sample Notice of Open Meeting was emailed to panel members prior to the April meeting. Meeting agendas must be posted at least 24 hours in advance to give the public an opportunity to attend/participate in the meeting.
- MAP/MAP-A Presentation – Michael Muenks, Director of the Missouri Assessment Program, discussed MAP and MAP-A with the panel. Michael indicated that during the MAP-A pilot, everything appeared to be good because districts were asked to give it to only one student. DESE did not anticipate how overwhelmed teachers would be once they had to actually use it district-wide. He indicated DESE is trying to simplify the MAP-A to still accomplish as much as possible but keep it approved (hoping to reduce the paperwork by 1/3 to 1/2).
- Evaluation Subcommittee – Provided an update on the progress of the annual report. The target date for completion is July 15. It will be sent to panel members for another review and will be voted on at the August meeting.
- Rules and Regulations Subcommittee – Chair indicated the subcommittee is waiting on the federal regulations. There was substantial discussion on the role of the SEAP and legislation.

- Monitoring Subcommittee – Drafting a format for the annual due process and child complaint report by the June meeting. The subcommittee will review data regarding the child complaint satisfaction survey before the June meeting. Concerns have been expressed with the thoroughness of the data since so few surveys have been received.
- Programs Subcommittee – Reported they are planning to meet before the June meeting to discuss recommendations for MAP and MAP-A. They also requested being informed of the expected areas of change in the new RFP so they could focus their time and energy in those areas of change. The committee suggested having someone from Effective Practices come to the June meeting to discuss the following items: RtI (Response to Intervention) model as it is currently implemented in Missouri, DESE’s position concerning RtI, and guidance on what the federal regulations are looking for regarding RtI (will it eventually be mandated).
- Nominations Subcommittee – Reported that five panel members, under the category of Parents of Children with Disabilities and/or Individuals with Disabilities, will have their third and final term end in June. The subcommittee has been making phone calls to potential nominees and plans to make selections based on geographic area, disability, age of child, and variety of experiences. The subcommittee is also accepting officer nominations and nominations for members at-large for the Executive Committee (elections at June meeting).
- Public Comment Subcommittee – Reported that a plan will be presented to the panel at the next meeting.

Panel Meeting – February 17, 2006

- DESE Update
 - Clarification of what is a settlement order (due process)
 - State Performance Plan (SPP)
 - Part B Application
 - SEAP representative to SICC and SICC representative to SEAP
- Evaluation Subcommittee – Annual report timeline was developed to ensure annual report is completed by September 2006.
- Rules and Regulations Subcommittee
 - Anticipating final regulations from OSEP could be summer or later.
 - SB 834 - make changes to Missouri state law regarding special education to make it in compliance with federal law. The change is specific to timelines and changes the 45-day timeline to what is mandated by IDEA. Another change would eliminate the resolution conference for parents.
 - A panel member felt that the panel was not given an opportunity to comment or respond to the bill. The committee recommended that panel members as individuals go to the General Assembly’s website and express their concern to the legislature regarding SB 834.
 - A motion was passed that the Panel go on record with DESE as supporting the retention of the resolution conference in the State Plan, state regulations, and state law. There was discussion between DESE and the committee. DESE stated that the proposal was to bring state statutes in line with federal statutes and to eliminate the confusion between resolution conferences and resolution sessions.

- A motion was passed to make a formal recommendation that DESE notify the Panel as soon as possible on any educational legislation the panel may have an interest and to notify the Panel at the next meeting of the person or group that will discuss the process of how it will be done.
- Programs Subcommittee – Assisted in organizing future topics for panel meetings. Recommended DESE present information on senior graduation requirements, exit exams, differentiated diplomas, and MAP accommodations.
- Monitoring Subcommittee – Discussed developing a model for the annual report of child complaint and due process, discussion of the child complaint satisfaction survey, and 4th cycle monitoring/focused monitoring. A recommendation was passed requesting DESE find another way of collecting survey information in addition to mailing the surveys.
- Nominations Subcommittee – Indicated in June there will be five panel members whose terms will end. From 2003-2006, sixty-nine applications were received. By May, the subcommittee will make nomination recommendations to DESE. Would like to have new members attend meeting in June.
- Public Comment Subcommittee – Discussed their charge and ways to gather information from across the state to see what is or is not working for parents, educators, and general public.

Panel Meeting – November 4, 2005

- DESE Update
 - Review SPP/Regional Meetings Outcomes – Division staff have drafted a State Performance Plan (SPP) which is due to OSEP by December 2. Information and targets were provided on the following indicators: graduation rates, dropout targets, annual yearly progress (AYP) goals, suspension/expulsion, placements, segregated placements, ECSE placement with typically developing peers, parent involvement, disproportionality, Child Find, Part C to B transition, and general supervision.
 - Sunshine Law Refresher – Heidi Atkins Lieberman, Legal Counsel for the Division of Special Education, provided information to the panel regarding the Sunshine Law.
 - Presentation on Curriculum/MAP/MAP-A.
 - Due Process Disclosure – Information was provided by DESE on each due process decision for FY 2005.
- Subcommittees – The SEAP chairperson indicated that the subcommittees should reflect the diversity of the panel. Members will be reassigned to ensure diversity.
- Evaluations Subcommittee – The evaluation chair indicated they will be presenting the revised format for the annual report at the next panel meeting.
- Rules and Regulations Subcommittee – The chair indicated that the federal regulations are anticipated in December and the subcommittee needs to establish a plan to review the regulations prior to the February meeting to get a sense of what is there and what changes need to be made.
- Monitoring Subcommittee – The committee has been examining focused monitoring, child complaint investigation/findings satisfaction and review process, and standardization of the annual DESE report to the Panel of due process and child complaint data.
- AdHoc Committee on Bylaws – An adhoc committee was assigned the responsibility of reviewing the bylaws and recommending changes.

- Programs Subcommittee – This committee is interested in having DESE provide information on Response to Intervention (RtI) and monitoring on eligibility determination for learning disabilities (LD).
- Nominations Subcommittee – The chair discussed their recommendations for the process for nominations and appointments of members to the Panel. It was suggested that the form be posted on the web in Word format so a person could fill in the blanks and email it to DESE.
- Public Comment Subcommittee – No report provided.

Panel Meeting – August 18-19, 2005

- DESE Update
 - Perspectives on State Use of Data for Policy-Makers and Decision-Making: Bill McMillen indicated all states are trying to figure out how to meet the December 2 deadline. The current emphasis in Washington is “accountability.” Accountability for the purpose of using objective information and data. This kind of accountability requires standardization of some sort and some comparability. The role of the Panel will be to examine data, understand it, and make conclusions. In many cases, there is not enough data for low incidence categories to be able to report the data by district without violating privacy.
 - APR/SPP – DESE plans to refine the process and training materials in September.
 - RPDC – DESE has made a major investment to staff the RPDCs with a focus on special education.
 - IDEA 2004 – DESE is continuing to work on the implementation of IDEA 2004. A link has been added to the Division website <http://dese.mo.gov/divspeced/IDEA2004.html> which contains information regarding IDEA. This fall the Special Education Compliance Section will host nine regional workshops regarding IDEA and immediate implications. The Special Education Funds Management Section will host nine trainings regarding changes in funding. There will also be training provided through the RPDCs regarding the MAP-A.
 - Budget – DESE provided an overview of the budget process for this year. The budget will be presented to the State Board in October.
- SEAP Orientation – There was a SEAP orientation session presented by the North Central Regional Resource Center (NCRRC) for new panel members.
- Public Comment Subcommittee – Originally, the Public Comment subcommittee was an ad hoc committee and was asked to develop a plan for public forums. The Public Comment subcommittee is now a permanent subcommittee. The committee needs to develop a generic plan along with costs for implementing public forums and include a clear intent of purposes and a description of the forum, time limits, other options and methods for getting public comment, and how this will be valuable for the panel.
- Nominations Subcommittee – Committee asked for suggestions for a process to submit nominations.

Standing Subcommittees

The Panel decided the following six standing committees would drive much of the panel's meeting agendas in the future. The committees are expected to meet prior to and during the SEAP meetings and provide updates and make formal recommendations to the entire panel for consideration.

Rules and Regulations Subcommittee

1. Review any rule changes in special education proposed by DESE;
2. Review current rules and regulations and make appropriate recommendations for change; and,
3. Provide a forum for keeping panel members advised of proposed legislation relevant to special education.

The Rules and Regulations Subcommittee activities include the following:

The effective date for implementing the provisions of the Individuals with Disabilities Education Act (IDEA) of 2004 was July 1, 2005. This current reauthorization of IDEA is to be followed by changes in federal regulations, which then necessitates review, revision, and adoption of regulations by each state. The Panel is charged with commenting on the proposed state regulations.

The process of developing the federal regulations was underway prior to the July 1 effective date. In fall 2005, there was a period of public comment and a series of hearings were held in several locations around the United States. It was anticipated that the regulations could be promulgated by December 2005.

As of April 2006, when this report was written, state education agencies were still awaiting publication of the regulations. At that time, no firm date of publication was available.

Because it was anticipated that federal regulations would be forthcoming, DESE proposed no formal changes in rules or regulations during the period covered by this report. However, in response to an OSEP memo in June 2005 regarding services for children with disabilities who are parentally placed in private schools, DESE issued guidance and directives to local education agencies designed to address specific changes in IDEA 2004 with that population.

Evaluation Subcommittee

1. Ensure that evaluations and data collection are appropriate and complete as directed by the panel and OSEP;
2. Ensure that any decisions are supported by data;
3. Track the improvement plan (CIMP); and,
4. Prepare the Annual Report of the advisory panel.

The Evaluation Subcommittee has:

- Reviewed formats for annual reports from other states.
- Continued to disseminate most of the SEAP 2005-2006 annual report through the DESE web with some hard copies provided to select groups.

- Reviewed the Missouri Special Education Annual Performance Report (APR) for the reporting period July 1, 2005, through June 30, 2006.
- The SEAP 2005-2006 Annual Report format is in the review and revision process.
- The current year's subcommittees and panel activities are finalized for compilation.

Monitoring Subcommittee

1. Review statewide monitoring data trends;
2. Review corrective action plans (CAP) and improvement plans (IP) submitted to OSEP;
3. Review MSIP cycle plans; and,
4. Review due process and child complaint results.

The beginning of the present fiscal year was misspent pursuing the DESE suggested task of examining several portions of the SPP due December 2, 2006, and an in-person meeting was scheduled the morning prior to the first meeting of the new fiscal year when the SEAP Chairperson advised the subcommittee chairperson not to proceed. Once the SEAP Chairperson appointed new members to the subcommittee following the November SEAP meeting, the subcommittee picked up on its set aside tasks left over from the previous fiscal year.

“Carry over issues for the next reporting period include (1) review of the Focused Monitoring plan, (2) review of the due process withdrawal data as a result of the survey (Formal Recommendation #8), and (3) use of the Child Complaint satisfaction survey and report of data (Formal Recommendation #9).” [SFY 2005 Annual Report]

The Monitoring Subcommittee activities included the following:

- Annual Due Process/Child Complaint Report from DESE – Format: DESE had requested a standard format for its annual report of due process and child complaint data to the SEAP which usually takes place at the December Panel meeting. As the SPP was due to the U. S. Department of Education by December 2, 2005, the usual December meeting was combined with the usual October meeting and held November 4, 2005, and primarily dealt with the SPP draft. Therefore, the due process and child complaint annual report was deferred to the usual February meeting. Therefore, the subcommittee prioritized this task. At its January 6, 2006, conference call, the subcommittee listed information it wished to be part of such a report and asked that DESE mock up a report. On February 16, 2006, DESE provided several pieces of data to be reviewed by the subcommittee. Preliminary review noted differing data between the various documents and questionable accuracy of data and discussed this with DESE on February 17, 2006. On April 14, 2006, at its conference call, the subcommittee determined that due process data should include the total of due process requests tracking them all to final resolution and that these resolutions be rigidly defined and rigorously adhered to when tracking and reporting each request. Review of the data provided February 16, 2006, did still indicate a high number of requests withdrawn. In addition, subcommittee members expressed a concern that resolution was taking too long to be effective for students. The subcommittee believes DESE has collected and can report accurate data regarding the number of child complaint allegations for a fiscal year, number and percentage of compliance/noncompliance findings, and adherence to timelines. It still had concerns about qualitative data addressing the thoroughness of

investigations and hoped the Child Complaint Satisfaction Survey may provide data on this matter. The subcommittee hopes to have a final format ready for Panel approval at its regular annual June meeting.

- Child Complaint Satisfaction Survey: The subcommittee and DESE agreed on the content of the surveys and they were first sent out to all parties receiving findings for fiscal year 2006 beginning in November 2005. Preliminary returns were shared with the committee on February 16, 2006, and reviewed. The subcommittee was concerned about the low response from parents and asked DESE to explore other methods of increasing parent responses to assure a broad enough sample to draw conclusions (Formal Recommendation #9, update February 17, 2006). The survey is to continue through the remainder of the fiscal year and DESE will determine then whether a broad enough sample of parent responses has been received before implementing any other method.
- Focused Monitoring: Many members of the subcommittee participated in a February 1, 2006, stakeholders meeting regarding DESE's plan for focused monitoring for the next cycle of MSIP monitoring. At the Panel's February 17, 2006, meeting, DESE announced its determination to redesign the focused monitoring effort. The subcommittee advised the Panel and DESE that it would monitor the redesign to assure it included the Panel's priorities of elementary achievement and post secondary outcomes.

None of the tasks of the subcommittee were finalized this fiscal year and will be carried over into the next fiscal year.

Programs Subcommittee

1. Provide panel input to the Effective Practices (EP) Section of the Division of Special Education; and
2. Act as an advisory board in the development of initiatives prior to the finished product.

The Programs Subcommittee has:

- Reviewed the Missouri Special Education Annual Performance Report (APR) from previous years and studied the required changes as the state moves to development of a State Performance Plan (SPP) as required by IDEA 2004;
- Reviewed special education practices, data collection, and procedures currently implemented by Missouri, and compared them with the twenty indicators which are to be monitored through the new SPP;
- Analyzed indicators and current practices for the SPP in the following areas: Transition (Early Childhood), Effective General Supervision (Parent Involvement), FAPE in the LRE (all indicators), and Disproportionality (within overall special education programs);
- Made recommendations regarding the development of the SPP, based on the analysis conducted in the areas of Transition (Early Childhood), Effective General Supervision (Parental Involvement), FAPE in the LRE (all indicators), and Disproportionality (within overall special education programs); and,
- Begun to study current issues impacting Effective Practices within the state of Missouri, including: increased graduation requirements, MAP and MAP-A testing, possible exit exams for secondary students, and Response to Intervention.

Nominations Subcommittee

1. Provide panel with slate of officers for next fiscal year for nomination and
2. Review and recommend nomination requests for panel members.

The Nominations Subcommittee has:

- Selected a slate of officers to serve for FY 2006-2007;
- Voted from the selection and chose new officers;
- Recommended applicants to DESE for nomination to serve as Panel members;
- Developed a formal process for review and recommending nominations; and,
- Elected to add four members at-large to the executive committee.

Public Comment Subcommittee

1. Identify available sources (including by not limited to: taxpayers, parents, teachers, school administrators, school boards) which may be available to facilitate public input. The public input received shall be disseminated to the Panel to assist the Panel in carrying out its prescribed function.

The Public Comment Subcommittee has:

- Developed plans to have three-four public forums across the state, to be determined which locations would be most accessible and inclusive to the greatest number geographically. The purpose will be to obtain feedback regarding special education issues. Stakeholders will be encouraged to attend the forum(s) with the purpose of highlighting unmet needs in schools with the understanding that the Panel will analyze the data and work with DESE on information gathered.

The panel was advised on a number of issues both from DESE and from individual panel members surrounding special education. Visitors are welcome to comment at any of the panel meetings. Comments can also be submitted via email, telephone, or in writing to:

Missouri Department of Elementary and Secondary Education
Division of Special Education
P.O. Box 480, Jefferson City, MO 65102
Email: webreplyspedc@deese.mo.gov
Phone: 573-751-5739 Fax: 573-526-4404

Future Focus

In the next year, it is with great anticipation that the Panel will continue to build upon the collaborative partnership with DESE in advising the Division of Special Education on issues relevant to the special education of students in Missouri including general supervision, early childhood special education transition, parent involvement, FAPE/LRE and secondary transition. In addition, the Panel will continue to offer advice on issues surrounding No Child Left Behind (NCLB) and IDEA 2004. The on-going work of the standing subcommittees (Programs, Rules and Regulations, Evaluation, Monitoring, Nominations, and Public Comment) will continue and result in formal recommendations to DESE in a joint effort to improve special education in Missouri.

Closing

The advisory panel continuously works towards the understanding of, respect for, support for, and the appropriate education of, all children with disabilities in Missouri schools. The panel believes in optimizing the educational achievement of every child through a strong education system that is proactive and supportive of students, families, and educators. To this end, the Panel will use its strength as a broad-based constituency group to plan an active and influential role in decisions affecting policies, programs, and services. Improving the education of children with disabilities is never an accident; it is the result of high intention, sincere effort, intelligent direction, skillful execution, and the vision to see obstacles as opportunities.

Acknowledgements

The panel wishes to acknowledge the contributions of Melodie Friedebach, Debby Parsons, Mary Corey, Pam Williams, and Lina Browner, along with other DESE staff, for their assistance in providing essential information through a variety of reports and presentations.

Links

Additional information about the panel can be found at:

www.dese.mo.gov/divspeced/Administration/AdvisoryPanel/94142mainpage.html

Additional information from the Division of Special Education can be found at:

www.dese.mo.gov/divspeced/

Additional information about the Missouri Continuous Improvement Process, including the Self-Assessment, Improvement Plan, and Annual Performance Report can be found at:

www.dese.mo.gov/divspeced/IPpage.html

DESE maintains a webpage of special education links at:

www.dese.mo.gov/divspeced/othersites2.html

2005-06 Membership Roster

Jeaneal Alexander-Columbia
Tamara Arthaud-Springfield
Kristen Callen-Springfield
Amanda Coleman-Kansas City
Martha Crabtree-Cabool
Cathy (Meyer) Einhorn-Chesterfield
DeAnn Fiedler-St. Clair
Doreen Frappier-Columbia
Melissa Frazier-Steelville
Melodie Friedebach-Jefferson City
Patricia Grassa-Springfield
Michael Hanrahan-Cameron
Deb Hendricks-JC
Eileen Huth-Ballwin
Patricia Jackson-Raytown
Kent Kolaga-Jefferson City
Nina Murphy-St. Louis

Deana O'Brien-Mexico
Kim Oligschlaeger-JC
Dorothy Parks-JC
Lynda Roberts-Jefferson City
Mary Kay Savage-Kansas City
Barbara Scheidegger-Jefferson City
Patti Simcosky-Independence
Kenneth Southwick-Belton
Richard Staley-Winfield
Meghan Stewart-St. Louis
Theresa Valdes-Jefferson City
Stephen Viola-St. Louis
Pam Walls-Sedgewickville
Raymond Wicks-St. Louis
Shirley Woods-Kansas City
Beverly Woodhurst-Perry
Joan Zavitsky-Eureka

Terms

APR – Annual Performance Report
AT – Assistive Technology
AYP – Annual Yearly Progress
CIFMS – Continuous Improvement and Focused Monitoring System
CIMP – Continuous Improvement Monitoring Process
DESE – Department of Elementary and Secondary Education
DOC – Department of Corrections
DYS – Department of Youth Services
ECSE – Early Childhood Special Education
EP – Effective Practices
EPA – Exceptional Pupil Aid
ESY – Extended School Year
FAPE – Free Appropriate Public Education
FERPA – Family Educational Rights and Privacy Act
IDEA – Individuals with Disabilities Education Act
IEP – Individualized Education Program
LD – Learning Disability

LRE – Least Restrictive Environment
MAP – Missouri Assessment Program
MSB – Missouri School for the Blind
MSD – Missouri School for the Deaf
MSIP – Missouri School Improvement Plan
NCLB – No Child Left Behind
NCRRC – North Central Regional Resource Center
OSEP – Office of Special Education Programs
RFP – Request for Proposal
RPDC – Regional Professional Development Center
RtI – Response to Intervention
SB – Senate Bill
SEAP – Special Education Advisory Panel
SICC – State Interagency Coordinating Council
SIG – State Improvement Grant
SPP – State Performance Plan
SSSH – State Schools for Severely Handicapped